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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): P. Bonutti and M. Brillhart

Confirmation No. 8742

Application No.: 10/630,321

Attorney Docket No: 780-A02-015-10

Filed: July 30, 2003

Group Art Unit: 3731

For: SURGICAL DEVICES HAVING A POLYMERIC
MATERIAL WITH A THERAPEUTIC AGENT
AND METHODS FOR MAKING SAME

Examiner: G. Jackson

**INFORMATION DISCLOSURE STATEMENT
PURSUANT TO 37 C.F.R. § 1.56**

Commissioner for Patents
Alexandria, VA 22313

09/07/2005 TL0111 00000022 10630321

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Sir:

In accordance with the duty of disclosure provisions of C.F.R. § 1.56, there is hereby provided certain information, which the Examiner may consider material to the examination of the subject U.S. patent application. It is requested that the Examiner make this information of record if it is deemed material to the examination of the application.

A revised Form PTO/SB/08 listing all patents, publications, applications, or other information submitted for consideration is enclosed. Copies of the listed U.S. Patents and Published U.S. Patent Applications, are not being submitted pursuant to the USPTO's waiver of the requirement of 37 C.F.R. § 1.98(a)(2)(i).

Enclosures accompanying this Information Disclosure Statement are: (a) copy of the cited foreign patent applications.

No admission is made that the information cited in this Statement is, or is considered to be prior art, material to patentability nor a representation that a search has been made.

The \$180.00 fee set forth in 37 C.F.R. §1.17 (p) in accordance with 37 C.F.R. §1.97 (c). The required fee is being paid via enclosed Credit Card Payment PTO Form 2038. Please charge any required fee (or credit any overpayments of fees) to the Deposit Account of the undersigned, Account No. 503410.

Dated: Sept 6, 2005

Respectfully submitted,

P.D.B.

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PTO/SB/08A (10-96)

Approved for use through 10/31/99. OMB 0651-0031
Patent and Trademark Office: U.S. Department of Commerce

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| -Substitute for form 1449A-PTO INFORMATION DISCLOSURE STATEMENT IN AN APPLICATION (use as many sheets as necessary) | | | | Complete If Known | |
|--|-----------------------|-----------------------------|-----------------------------------|---|--|
| | | | | Application Number | 10/630,321 |
| | | | | Filing Date | July 30, 2003 |
| | | | | First Named Inventor | P. Bonutti |
| | | | | Group Art Unit | 3731 |
| | | | | Examiner Name | G. Jackson |
| Sheet | 1 | of | 2 | Attorney Docket Number | 780-A02-01510 |
| U.S. PATENT DOCUMENTS | | | | | |
| Examiner Initials | Cite No. ¹ | U.S. Patent Document Number | Kind Code ² (if known) | Name of Patentee or Applicant of Cited Document | Date of Publication of Cited Document MM-DD-YY |
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| Examiner | | | | Date Considered | |

Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁴ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁵ Applicant is to whom a check mark has been placed.

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| FOREIGN PATENT DOCUMENTS | | | | | |
| Examiner Initials | Cite No. ¹ | Foreign Patent Document Office ³ Number ⁴ | Kind Code ⁵ (if known) | Name of Patentee or Applicant of Cited Document | Date of Publication of Cited Document MM-DD-YY |
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| OTHER REFERENCES - NON PATENT LITERATURE DOCUMENTS | | | | | |
| Examiner Initials | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | | | |
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